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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,286	07/31/2003	Carl R. Strathmeyer	1020.P16477	5085

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ART UNIT	PAPER NUMBER
2609	

MAIL DATE	DELIVERY MODE
05/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31st JUL 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1 - 26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1 - 26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _31st JUL 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims **23 – 26** are rejected under 35 U.S.C. 101 because the storage medium

stored thereon instructions that are executed by a processor is not claimed as a

computer-readable medium, which must be executed by a computer, encoded with a

data structure and the computer software and hardware components which permit the

data structure's functionality to be realized, and therefore, is an abstract idea with no

tangible or concrete results are given, and thus, non-statutory.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims **1 – 7, 10 – 17** and **23 – 26** are rejected under 35 U.S.C. 102(b) as being

anticipated by **Nishidate (JP 2002-109194 A)**.

Consider claims **1** and **16**, **Nishidate** discloses a web server *22* receiving a first

request from a customer dial-up connection (paragraph *0030*); the web server receives

call information such as customer ID and information from customer database *23*

through a customer "search input" – retrieval key (paragraph *0031*); a response to the

first request comes along with a (dynamic) webpage that is delivered to the customer's

browser *100* (paragraphs *0031-32*); a Security Policy Server keeps track of call session

information such as packet and log information (paragraph *0032*); (Figs. *9* & *12*).

Consider claims **2**, **13** and **17**, and as applied to claims **1**, **2** and **16**, **Nishidate**

discloses the web server, in response to the first request, prompts the customer to enter

his/her customer ID as a first identifier (Paragraph *0031*); and based on the customer ID

and input, a web access (second) request is sent to a customer database *23* (paragraph

0031); the database responds (to the second request) with web contents in a browser –

as call/caller information interface – with "response window information" including information

from a CTI server – that the customer requested (paragraphs *0031-32* & *0040*).

Consider claim **3**, and as applied to claim **2**, **Nishidate** discloses the customer ID

(first identifier) is a telephone number/line in the call session (paragraph *0033*; fig. *13*).

Consider claims **4** and **14**, and as applied to claims **1** and **4**, **Nishidate** discloses

a web server *22* receiving a first request from a customer dial-up connection (paragraph

0030); the web server receives call information such as customer ID and information

from customer database *23* through a customer "search input" – retrieval key

(paragraph *0031*); a response to the first request comes along with a (dynamic) webpage

that is delivered to the customer's browser *100* (paragraphs *0031-32*); a Security Policy

Server keeps track of call session information such as packet and log information

(paragraph *0032*). The first identifier is the telephone number/line (paragraph *0033*);

second identifier is a "call number" yielded by a CTI server to the web server as a

response to the second (web access) request (paragraph *0033*). The second identifier

("call number") yielded by a CTI server to the web server as a response to a second (web

access) request (paragraph *0033*); then a third request is sent to an IVR server and is

relayed to a voice server; once the second identifier (customer number) is verified, (caller)

information requested by the customer will be sent to the web browser (paragraphs

0033-36); such information are retrieved/stored in database *23* (paragraph *0040*).

Consider claim **5**, and as applied to claim **4**, **Nishidate** discloses first identifier is

the telephone number/line (paragraph *0033*); second identifier is a "call number" yielded

by a CTI server to the web server as a response to the second (web access) request

(paragraph *0033*); such information are stored in database *23* (paragraph *0040*).

Consider claims **6** and **15**, and as applied to claims **1** and **6**, **Nishidate** discloses

a second identifier ("call number") yielded by a CTI server to the web server as a

response to a second (web access) request (paragraph *0033*); then a third request is

sent to an IVR server and is relayed to a voice server; once the second identifier

(customer number) is verified, (caller) information requested by the customer will be sent

to the web browser (paragraphs *0033-36*); caller information is retrieved from database

23 (paragraph *0040*).

Consider claim **7**, and as applied to claim **6**, **Nishidate** discloses the "call

number" that comprises the customer's telephone number or "internet address"

(paragraph *0033*).

Consider claims **10 – 12**, and as applied to claims **1** and **10**, **Nishidate** discloses

receiving a telephone call and registering/storing call in a database (paragraphs *0011-*

13); receiving a web server *22* receiving a first request from a customer dial-up

connection (paragraph *0030*); the web server receives call information such as

customer ID and information from customer database *23* through a customer "search

input" – retrieval key (paragraph *0031*); a response to the first request comes along with

a (dynamic) webpage that is delivered to the customer's browser *100* (paragraphs *0031-

32*); a Security Policy Server keeps track of call session information such as packet and

log information (paragraph *0032*); voice/audible response is achievable (paragraph

0033-34); (Figs. *9* & *12*).

Consider claim **23**, **Nishidate** discloses a control logic *24* – as a storage in a

processor – that connects to a contact center system *22* to facilitate the execution of

instructions for connecting a customer (telephone or computer) terminal and client

terminal through internal servers and display information on customer's web browser

(paragraphs *0018-20*; fig. *5*). Information management steps comprises a web server *22*

receiving a first request from a customer dial-up connection (paragraph *0030*); the web

server receives call information such as customer ID and information from customer

database *23* through a customer "search input" – retrieval key (paragraph *0031*); a

response to the first request comes along with a (dynamic) webpage that is delivered to

the customer's browser *100* (paragraphs *0031-32*); a Security Policy Server keeps track

of call session information such as packet and log information (paragraph *0032*); (Figs.

9 & *12*).

Consider claims **24** and **26**, and as applied to claim **23**, are rejected in the same

grounds as claim **2**.

Consider claim **25**, and as applied to claim **23**, is rejected in the same grounds as

claim **4**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims **8, 19 – 21** are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Nishidate (JP 2002-109194 A)**

Consider claim **8**, and as applied to claim **6**, though **Nishidate** may not explicitly

disclose an account number and PIN for the second identifier, it would have been

obvious for a person who has ordinary skills in the art at the time of the invention was

made to incorporate the teachings of logging on to a server using account number and

PIN, such as a logging on to a credit card company web portal to inquire balances, for

network security purposes.

Consider claim **19**, **Nishidate** discloses a web server *22* receiving a first request

from a customer dial-up connection (paragraph *0030*); the web server receives call

information such as customer ID and information from customer database *23* through a

customer "search input" – retrieval key (paragraph *0031*); a response to the first request

comes along with a (dynamic) webpage that is delivered to the customer's

browser/interface *100* (paragraphs *0031-32*); a Security Policy Server keeps track of

call session information such as packet and log information (paragraph *0032*); (Figs. *9* &

12). Though **Nishidate** may not explicitly mention the retrieving of information through

an antenna, it would have been obvious for a person who has ordinary skills in the art at

the time of the invention was made to incorporate the teachings of an antenna for

retrieving information since the retrieving device may be mobile, which needs an

antenna to receive signals. e.g. WiFi or Bluetooth

Consider claim **20**, and as applied to claim **19**, **Nishidate** discloses the IVR and

voice servers within the contact center system *22*/media server (re)produce web pages

with audible response (paragraphs *0035-36*); telephone system to establish call session

between caller/customer and media server/contact center system (paragraphs *0020* &

0022-24); database that stores call and caller information (paragraph *0043*);

browser/interface retrieves information from the database and web page is generated

(paragraphs *0031* & *0036*).

Consider claim **21**, and as applied to claim **20**, **Nishidate** discloses module *22* –

Contact Center System – comprises all voice/media server, IVR server and CTI server,

etc (paragraph *0015*).

Claims **9** and **12** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nishidate (JP 2002-109194 A) in view of **Bondarenko et al (U.S Pub 2004/0083479**

A1).

Consider claim **9**, and as applied to claim **1**, **Nishidate** discloses the claimed

invention except the webpage is a script for an IVR system.

In a related field of endeavor, **Bondarenko et al** disclose an XML-markup

language for IVR scripting for voice postings on a web site (paragraphs *0137* & *0141*;

fig. *12*).

Therefore, it would have been obvious for a person who has ordinary skills in the

art at the time of the invention was made to incorporate the teachings of a webpage as

a script for IVR system as taught by **Bondarenko et al**, in the method of **Nishidate**,

because the XML protocol enables a higher level of abstraction in dealing with

languages and vocabularies in specific applications.

Consider claim **22**, **Nishidate** discloses the claimed invention except explicitly

mentioning the system comprises one of a Private Branch Exchange (PBX), Centrex

system, Automatic Call Distribution (ACD) system, and Voice over Packet (VoP)

system.

In a related field of endeavor, **Bondarenko et al** disclose a telephony switch

system is an ACD or PBX (paragraph *0116*).

Therefore, it would have been obvious for a person who has ordinary skills in the

art at the time of the invention was made to incorporate the teachings of a PBX,

Centrex, ACD or VoP in a telephone system as taught by **Bondarenko et al**, in the

system of **Nishidate**, in order to handle both multimedia and connection-oriented

switched telephony.

Claim **18** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Nishidate (JP 2002-109194 A) in view of **Aoki (U.S Pub 2003/0061569 A1)**.

Consider claim **18**, and as applied to claim **16**, **Nishidate** discloses the claimed

invention except explicitly mentioning the web page generator comprising a plurality of

templates to generate web pages, a selection module to select a template for the web

page, and a creation module to build the web page using the template and information.

In a related field of endeavor, **Aoki** disclose a web page creation process that

involves requesting a list/plurality of templates, selecting a template, and finally, creating

a web page according to input data through telecommunication machines/modules

(paragraphs *0030-41*; figs. *1* & *5*).

Therefore, it would have been obvious for a person who has ordinary skills in the

art at the time of the invention was made to incorporate the teachings of a web page

generator as taught by **Aoki**, in the apparatus of **Nishidate**, for the purpose of easier

facilitate the creation of web pages through either mobile phones or facsimile units.

Conclusion

Any response to this Office Action should be **faxed to** (571) 273-8300 **or mailed**

to:

> Commissioner for Patents
> P.O. Box 1450
> Alexandria, VA 22313-1450

Hand-delivered responses should be **brought to**:

> Customer Service Window
> Randolph Building
> 401 Dulany Street
> Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Xavier Wong whose telephone number is (571) 270-

1780. The examiner can normally be reached on Monday through Friday 8 am - 5 pm

(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone

number for the organization where this application or proceeding is assigned is (571)
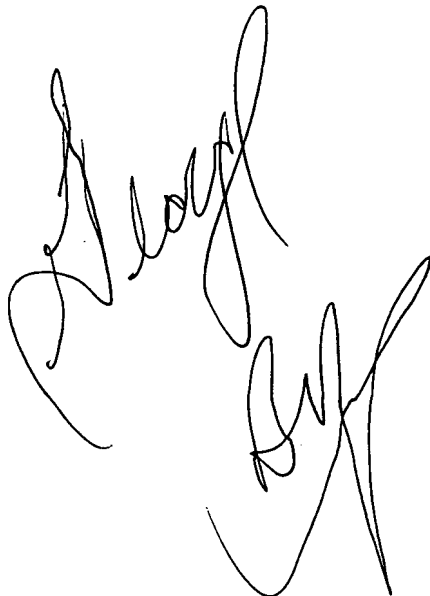
273-8300.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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USPTO Customer Service Representative or access to the automated information

system, call (800) 786-9199 (IN USA OR CANADA) or (571) 272-1000.

Xavier Szewai Wong
X.S.W/x.s.w

19th May 2007